

**UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF NEW YORK**

R.F.M., T.D., S.W., D.A.F.A., and O.M.S., on  
behalf of themselves and all others similarly situated,

Plaintiffs,

v .

KIRSTJEN NIELSEN, *et al.*,

Defendants.

Case No. 18-CV-5068 (JGK) (OTW)

**NOTICE OF CROSS-MOTION**

Oral Argument Requested

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, dated October 25, 2018, and all prior papers and proceedings had herein, Plaintiffs R.F.M., T.D., S.W., D.A.F.A., and O.M.S., on behalf of themselves and all others similarly situated (“R.F.M. et al.”) will move this Court, before the Honorable John G. Koeltl, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, Courtroom 14A, New York, New York 10007, at a date and time to be determined by the Court, for an order pursuant to Rule 56 of the Federal Rules of Civil Procedure (1) granting summary judgment in favor of R.F.M. et al. on all Claims of the First Amended Complaint dated August 10, 2018 (Docket No. 56); and (2) granting such other and further relief as the Court deems just and proper.

Dated: October 25, 2018  
New York, New York

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that, on October 25, 2018, I caused to be electronically filed the foregoing NOTICE OF PLAINTIFFS' CROSS-MOTION FOR SUMMARY JUDGMENT by using the CM/ECF system, which sends a notice of electronic filing to all counsel of record who have registered to receive notices from the Court under the CM/ECF system.

/s/ Robert J. Malione  
Robert J. Malione